

# 6

## CONSERVATION OF THE HISTORIC HERITAGE

### INTRODUCTION

6.01 The District contains an extremely rich and varied historic heritage which includes 69 Conservation Areas, approximately 4000 Listed Buildings, part of a World Heritage Site and nearly 500 Scheduled Monuments. One of the Plan's environmental aims is to value and protect diversity and local distinctiveness and strengthen local community and cultural identity. The policies in this Chapter contribute towards this aim by seeking to safeguard heritage assets for the benefit of current and future generations.

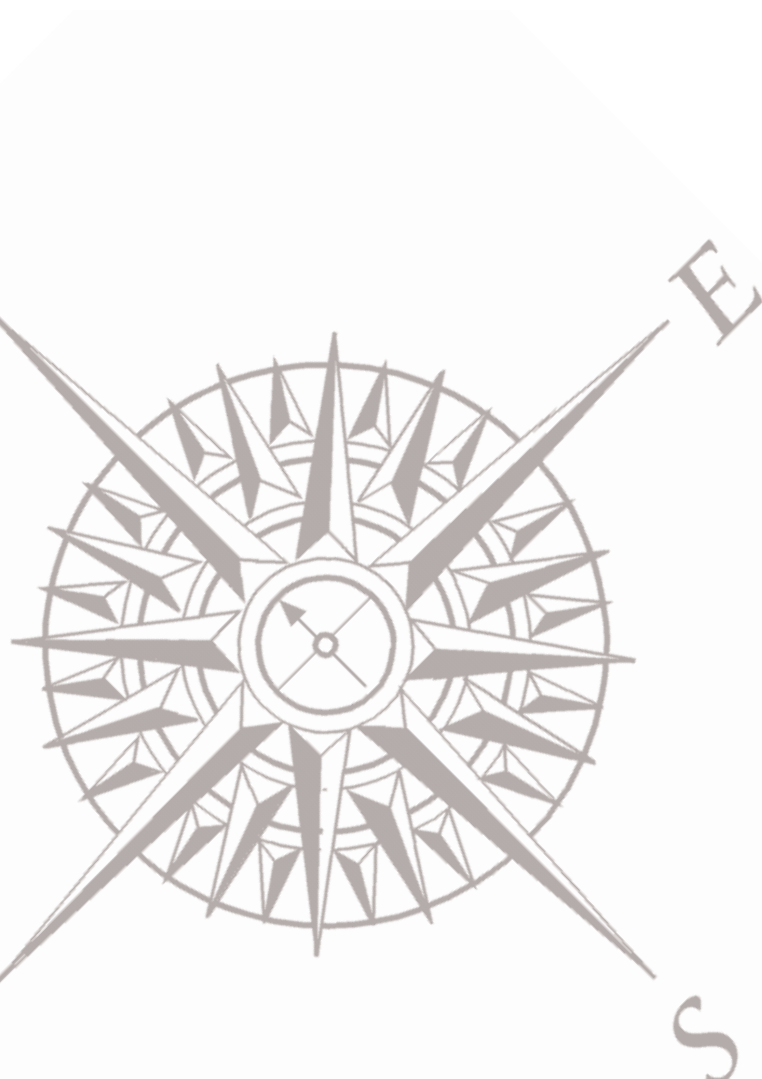
### ARCHAEOLOGY

#### Policy HH1

#### PROTECTION OF ARCHAEOLOGICAL REMAINS

Planning permission will not be granted for development which would have an adverse impact on the archaeological deposits or remains on or under a site of national importance (whether scheduled or not) or its character or setting. Sites of significant regional or local importance, especially those which make a positive contribution to the historic landscape, will also be protected from inappropriate development.

6.02 Archaeological remains/sites are a finite, non-renewable resource which should be protected from damage wherever possible. The District is very well endowed with archaeological sites and landscapes which include the Avebury World Heritage Site, the Roman town of *Cunetio* and the medieval towns of Devizes and Marlborough.



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6.03 Many internationally and nationally important archaeological sites are designated as Scheduled Monuments. Works affecting a Scheduled Monument require the consent of the Secretary of State. Landowners or developers seeking to carry out works which might impact on a Scheduled Monument or its setting should seek the advice of English Heritage at an early stage.

6.04 Scheduling is not comprehensive and many nationally important sites are either awaiting assessment for scheduling under the Monuments Protection Programme or await discovery. Such is the nature of archaeology that the records of archaeological sites are constantly being updated and added to. The County Sites and Monuments Record (SMR) is the primary archaeological record in Wiltshire and is maintained by the County Archaeology Service. At January 2000 the SMR included records on over 6,100 individual archaeological sites and finds in Kennet. The SMR should be the first port of call for assessing the archaeological potential of any proposed development site.

6.05 Developers are advised to seek detailed advice from the County Archaeology Service prior to lodging any planning application, where there is good reason to suspect that remains of archaeological importance are present.

<p><b>Policy HH2</b></p> <p><b>DEVELOPMENT ON SITES WITH ARCHAEOLOGICAL POTENTIAL</b></p> <p>Proposals for development involving ground disturbance on sites with archaeological potential will only be permitted if:</p> <p>a) it can be demonstrated that the development will not have an adverse impact on any archaeological deposits or remains; or</p> <p>b) appropriate mitigation measures are agreed to protect the archaeological interest of the site.</p>
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6.06 It is frequently impossible to make a planning decision on a proposal where archaeological potential has been identified but no further information has been supplied. Where evidence from the Sites

and Monuments Record indicates that a development proposal is likely to have an impact upon an archaeological site the Council will request applicants to undertake an *archaeological assessment*. This desk-based exercise will require more detailed research and analysis of existing information (aerial photographs, historic maps, etc.) and will normally be carried out by an archaeological consultant employed by the applicant.

6.07 Where the desk-based assessment indicates that archaeological features or deposits might be present on the site the applicant may be requested to carry out an *archaeological field evaluation*. This is a programme of fieldwork designed to supplement and improve existing information to a level of confidence at which planning recommendations can be made. The Council will set out the techniques to be utilised and the broad approach to be followed and will normally supply a brief for such an evaluation. If an applicant wishes to produce a brief or specification this will be permissible on condition that it is agreed with the Council before fieldwork commences. If a field evaluation is not carried out according to the brief or below acceptable standards, the Council may request further work or refuse the planning application.

6.08 Where the process of assessment and field evaluation demonstrate the existence of archaeological deposits which are of importance, planning permission may be refused if an appropriate mitigation strategy cannot be agreed with the Council. When formulating a *mitigation strategy* applicants will be expected to prepare a Programme of Archaeological Works. This document should utilise the results of the field evaluation and set out in detail how the archaeological issues will be resolved. For example, it might include a detailed approach to the investigation of the site or details of design to avoid damage to archaeological deposits.

6.09 Applicants will be expected to bear the full cost of implementing any mitigation strategy. The strategy might include full excavation, sample excavation, a watching brief or a combination of techniques, but full detailed investigation, recording, analysis and publication of the archaeological interest will be expected as a minimum. Implementation of the strategy must allow

enough time for the archaeological investigations to take place before development commences.

### Archaeological Zone Maps

6.10 The County Archaeology Service, in partnership with the Council, has prepared archaeological zone maps for the district. These zones have been identified following an analytical procedure for identifying and scoring archaeological sites and landscapes. The zones as shown on the proposals and inset maps will be of assistance to planners and developers in identifying the location and relative value of archaeological features and in the application of Policy HH2

### Historic Towns

6.11 The County Archaeology Service is working on a survey of the historic towns of Wiltshire, funded by English Heritage. The final phase of this project will be the preparation of planning strategies for the towns which will give detailed guidance on the relative value of various zones within the towns and advice on appropriate conservation and investigation strategies. The Kennet settlements included in this survey are Devizes, Great Bedwyn, Ludgershall, Marlborough, Market Lavington, Ramsbury and *Cunetio*. When complete, the towns strategy reports will be published as Supplementary Planning Guidance.

### AVEBURY WORLD HERITAGE SITE

6.12 The UNESCO World Heritage Committee has the duty of drawing up a list of World Heritage Sites which member states pledge to protect. Sites selected for inscription in the World Heritage list are considered to be of outstanding international significance.

6.13 The World Heritage Site known as 'Stonehenge, Avebury and Associated sites' was inscribed in 1986 and was one of the first seven sites to be identified in the United Kingdom. The defined World Heritage Site consists of two separate parts, one based on Stonehenge and the other on Avebury. The Avebury complex of sites has long been regarded as one of the most important Neolithic complexes in Western Europe.

6.14 In 1998 English Heritage published the Avebury World Heritage Site Management

Plan. The document was prepared on behalf of the Avebury World Heritage Site Working Party in consultation with local people and all those with an interest in the management of the area. Kennet District Council was a full partner in the preparation of the Management Plan and is committed to working with the World Heritage Site Steering Committee and its sub-groups to apply the principles and implement the objectives contained in it. The Management Plan will be treated as a material consideration when determining planning applications for development affecting the World Heritage Site. The Council will, at some point in the future, consider issuing Supplementary Planning Guidance based on the relevant parts of the Management Plan which deal with land use issues.

6.15 The Scheduled Monuments within the World Heritage Site are protected by virtue of the fact that works affecting them need the consent of the Secretary of State. However, one of the greatest threats to the monuments open to public access comes as a result of visitor pressure, and this issue is dealt with in Chapter 7 on *Tourism, Recreation and the Arts*.

<p><b>Policy HH3</b></p> <p><b>AVEBURY WORLD HERITAGE SITE</b></p> <p>Proposals which would harm the historic landscape, archaeological features or visual setting of that part of the Stonehenge, Avebury and Associated Sites World Heritage Site within the District will not be permitted.</p>
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6.16 Part of the World Heritage Site lies within Kennet and this is a material consideration when determining planning applications for development within the inscribed area. The Council considers that the protection of the World Heritage Site should take precedence over all other demands for development and the use of land in the inscribed area.

6.17 Proposals which would involve ground disturbance within the World Heritage Site will be subject to the requirements of Policy HH2. Applicants should be aware that they may be requested to commission an archaeological evaluation of the area involved. Specialist advice will be sought from the County Archaeology Service, as appropriate

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- 6.18 In relation to the landscape setting of the World Heritage Site, specific guidance is available in the Avebury World Heritage Site Management Plan which is regarded as a material consideration when determining applications for planning permission.
- 6.19 Certain types of development which can be carried out under 'permitted development' rights have the potential to cause harm to the World Heritage Site. These include overhead telecommunication and transmission lines and activities which involve ground disturbance such as agricultural excavations and the laying of pipes or cables. One of the objectives of the Management Plan is to enhance the protection of the World Heritage Site from these types of activity. The Council will work with the Avebury World Heritage Site Steering Committee towards achieving this objective. This may include giving consideration to applying an Article 4 Direction which would restrict permitted development rights for activities harmful to the character of the World Heritage Site.

landscape the Council is keen to ensure that its historic element is protected from further erosion and where possible enhanced. Policy HH4 complements the Council's policies on the protection of landscape character which are set out in Chapter 5 on Natural Resources. The policies are supported by a District-wide Landscape Character Assessment which has been adopted as Supplementary Planning Guidance.

6.21 The Avebury World Heritage Site Management Plan seeks to protect the monuments and landscape setting of the inscribed area. In doing so it identifies a 'zone of visual sensitivity' which extends beyond the current boundary of the World Heritage Site. This reflects the fact that inappropriate development within view of the ancient monuments can spoil their setting and adversely affect the special historic character and appearance of the World Heritage Site. The Council has chosen not to include the zone of visual sensitivity in the Local Plan but considers that Policies HH3 and HH4 will combine with the landscape character policies in Chapter 5 to provide a high level of protection for the World Heritage Site and its wider setting.

6.22 English Heritage have compiled a register of the more important and accurately located battlefields. Within Wiltshire the only battlefield to be included on this register is Roundway Down. This was the site of major engagement during the English Civil War and the Council will seek to protect the site and its setting from inappropriate development.

6.23 The District contains eight sites included on the English Heritage Register of Parks and Gardens of Special Historic Interest. These are listed in Table HH1 below:

**Table HH1. : Parks and Gardens of Special Historic Interest**

Biddesden House	Conock Manor
Littlecote House	Marlborough College
Oare House	Ramsbury Manor
Tottenham Park	
Spye Park	

6.20 It is widely accepted that archaeological sites and monuments should not be seen in isolation but as surviving elements of the historic landscape. Although the entire landscape in Kennet is historical in origin and character, it is important to understand that certain areas or elements are of special significance. The landscape continues to evolve and the pace of change in recent years has led to the rapid erosion of features of archaeological and historic interest. Whilst not wishing to fossilise the

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**HISTORIC LANDSCAPES**

**Policy HH4**

**HISTORIC LANDSCAPES**

Development will not be permitted if it would have an adverse impact on the special historic character and appearance of :-

- a) the Avebury World Heritage Site;
- b) the Roundway Down registered battlefield;
- c) a park or garden included on the English Heritage 'Register of Parks and Gardens of Special Historic Interest'; or
- d) any other historic landscape or historic landscape feature.

6.24 English Heritage are currently undertaking a review of the Register of Parks and Gardens of Special Historic Interest which may result in further sites being added to the register.

6.25 The Council will protect the sites identified in Table HH1 (and any sites subsequently added to the register) and their settings from inappropriate development by the application of Policy HH4 and will encourage schemes which seek their restoration, repair or enhancement.

## CONSERVATION AREAS

6.26 The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to designate as Conservation Areas any 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. The designation of a Conservation Area gives the Council certain additional powers to control development. These include:

- limiting 'Permitted Development' (development exempt from the need to seek planning permission);
- the need to obtain consent to demolish buildings, whether they are Listed or not;
- the need to give notice to the Local Planning Authority before felling trees;
- a requirement for greater publicity for development proposals;
- the power to require outline planning applications to be supported by additional information.

6.27 There are currently 69 Conservation Areas in Kennet and these are listed in Appendix HH1. The Council is in the process of revising Conservation Area 'Designation Statements' and these will be published as Supplementary Design Guidance as they become available.

### Policy HH5

#### DEVELOPMENT IN CONSERVATION AREAS

Development in Conservation Areas will only be permitted where it would preserve or enhance their character or appearance. Proposals which would adversely affect the setting of a Conservation Area will not be permitted.

6.28 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when determining planning applications and exercising other planning functions, local planning authorities should pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. PPG 15 on *Planning and the Historic Environment* states that this duty is also relevant where proposals are outside the Conservation Area but would affect its setting, or views into or out of the area.

6.29 When assessing proposals affecting a Conservation Area the Council will pay particular attention to the issue of design. The Council's requirements for design are set out in Policy PD1 and accompanying Supplementary Design Guidance. In order to assess the degree to which proposals preserve or enhance the character or appearance of Conservation Areas, the Council will require applicants to submit detailed proposals. Outline applications are unlikely to provide sufficient information on which to make an informed decision.

6.30 The Council recognises that it is not always possible to design a proposal which preserves or enhances the character or appearance of a Conservation Area if modern development standards also have to be met. Therefore in Conservation Areas the council may be prepared to relax its normal requirements relating to the provision of recreation space in residential developments (see Policies HC34 and HC35). Alternative ways to meet the standards can be considered and account may be taken of existing recreational provision in the locality. The council will need to be satisfied that overall provision for occupiers of the new development is acceptable. The Council is also willing to be flexible with regard to parking standards and its approach in this respect is set out in Chapter 4 on *Accessibility and Transport*.

**Policy HH6**

**DEMOLITION IN CONSERVATION AREAS**

Conservation Area Consent for the demolition or partial demolition of an unlisted building or structure will only be granted where the building or structure does not positively contribute towards the character or appearance of the Conservation Area.

6.31 The Council will support proposals to demolish buildings or structures which detract from the character or appearance of a Conservation Area. The demolition of other buildings and structures could be potentially very damaging to the character of an area, especially where demolition takes place far in advance of redevelopment. This is particularly relevant where the buildings to be demolished form part of a group or continuous frontage, or where they front onto a main street. In these circumstances the Council will impose a condition on the Conservation Area Consent, to provide that demolition shall not take place until a contract for the carrying out of works of redevelopment has been made and full planning permission for those works has been granted.

**HISTORIC SETTLEMENTS OF DEVIZES AND MARLBOROUGH**

**Policy HH7**

**DEVELOPMENT WITHIN THE HISTORIC SETTLEMENTS OF DEVIZES AND MARLBOROUGH**

Proposals for development within Devizes and Marlborough should respect the historic character of their town centres and preserve their local identity by:

- a) reflecting the historic pattern of streets and building frontages;
- b) retaining walls and other boundary features on the lines of the former burgage plots;
- c) providing attractive and varied roof lines and forms;
- d) utilising high quality traditional materials; *and*
- e) including appropriate measures to prevent the spread of fire, in order to protect the historic fabric.

6.32 Although very different architecturally, Devizes and Marlborough have much in common. Both have a rich and varied history which give them a unique local identity which is reflected in their townscape. Levels of development activity are generally higher than elsewhere in the District and therefore conservation issues are of prime significance, especially in the town centres. This policy is designed to supplement Policy HH5 on development in Conservation Areas by identifying particular issues of importance. Proposals will also be considered against the general design criteria set out in Policy PD1 and accompanying Supplementary Design Guidance.

6.33 Fire can have a devastating effect on the historic fabric, as demonstrated by the fires which took place in Marlborough High Street in January 1993 and June 1998. Developers are encouraged to include measures in their proposals to prevent the spread of fire, both within individual buildings and between neighbouring buildings. Appropriate measures may include improved fire separation, detection, alarm and suppression systems. Proposals should be discussed with the Council's Conservation Officers where they affect a listed building.

6.34 The District's other historic towns are no less important than Devizes and Marlborough although levels of development activity are generally lower. Proposals will be considered against Policies HH5 and PD1 as well as the SPG outlined in paragraph 6.11.

### LISTED BUILDINGS

6.35 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Secretary of State to compile lists of buildings of special architectural or historic interest. Buildings are classified in grades (I, II\* and II) to indicate their relative importance. There are currently around 4000 listed buildings and structures in Kennet, of which approximately 50 are Grade 1, and therefore considered to be of exceptional national interest.

#### Policy HH8

##### DEVELOPMENT AFFECTING A LISTED BUILDING

Planning permission will not be granted for any proposal which would harm the historic or architectural qualities of a listed building, its curtilage or setting.

6.36 The Council will expect any application affecting a listed building to include sufficient detail to enable the impact of the proposed development to be accurately assessed. Applicants should be able to demonstrate why proposals which would affect the character of a listed building are desirable or necessary. The Council will publish advice on the alteration of listed buildings as Supplementary Planning Guidance. Where planning permission is granted for works affecting a listed building the Council may make it a condition of the consent that the applicants arrange a suitable programme of recording of features that would be destroyed in the course of development.

#### Policy HH9

##### DEMOLITION OF LISTED BUILDINGS

Development or re-development involving the demolition of Listed Buildings will only be supported in exceptional circumstances where it can be demonstrated that:

- a) it is not practicable to continue to use the building for its existing or a previous purpose;
- b) the building is not suitable for an alternative use;
- c) the building has been openly marketed and no significant interest has been shown;
- d) no charitable trust or other organisation can repair and maintain the building for its historic or architectural value; *and*
- e) demolition will not harm the setting of any other Listed Building, the character of the locality or the character or appearance of a Conservation Area.

In reaching its decision the Council will have regard to the importance of the building and the cost of repairing and maintaining it in relation to its importance.

6.37 Historic buildings are a finite resource and an irreplaceable asset. The Council takes the view, in line with PPG15, that there should be a presumption in favour of the preservation of a listed building unless a strong case can be made. When assessing the importance of a building, the Council will take into account the grade of listing and the reasons which led to its listing. Where listed building consent for demolition or selected demolition of a listed building is granted the Council may make it a condition of the consent that the applicants arrange a suitable programme of recording of features that would be destroyed in the course of demolition.

6.38 In certain cases the demolition of a listed building may only be acceptable if the site is subsequently redeveloped. This is particularly relevant where the buildings to be demolished form part of a group or continuous frontage, or where they front onto a main street. The act of demolition could be potentially very damaging to the

character of an area, especially where demolition takes place far in advance of redevelopment. In these circumstances the Council will impose a condition on the listed building consent, to provide that demolition shall not take place until a contract for the carrying out of works of redevelopment has been made and full planning permission for those works has been granted.

**AREAS OF MINIMUM CHANGE**

**Policy HH10**

**AREAS OF MINIMUM CHANGE**

Within 'Areas of Minimum Change' planning permission will not be granted for development which would materially damage the character of the area.

6.39 The Plan defines Areas of Minimum Change within settlements with a Limits of Development, as shown on the Inset Maps. The designation is intended to protect those areas of land within, or at the edge of built-up areas which make an important contribution to the character and appearance of the settlement. The areas defined include significant areas of public and private open space, gardens and churchyards. Allotments and areas of recreational open space are protected separately in Policies TR20 and TR17 respectively.

**MARLBOROUGH AREA OF SPECIAL QUALITY**

**Policy HH11**

**MARLBOROUGH AREA OF SPECIAL QUALITY**

The Plan defines an 'Area of Special Quality' in Marlborough, as shown on Inset Map 6. Within that area proposals should meet the following criteria:

- a) the existing pattern of detached houses in large grounds should be retained; *and*
- b) existing trees and landscape features in the area should be retained.

6.40 To the north of the High Street, across Cross Lane and Back Lane, is a residential area characterised by substantial houses in large grounds with many mature trees. The area has a distinctive character which is worthy of being retained.

**ADVERTISEMENTS**

6.41 The display of advertisements does not require planning permission but is subject to a separate set of controls. Advertisement Consent is required for certain types of advertisement and when determining applications the Council must assess the impact of proposals on amenity and public safety. In order to assist potential applicants for Advertisement Consent the Council has published Supplementary Planning Guidance covering the design and display of advertisements.

**Policy HH12**

**ADVERTISEMENTS**

The display of an advertisement will only be permitted where it respects the interests of public safety and amenity. Advertisement Consent will not be granted where a proposal would, by virtue of its design or location, have a detrimental impact on:

- a) the building or structure upon which the sign is to be displayed;
- b) the character of the locality;
- c) features of historic, architectural or archaeological interest; *or*
- d) landscape character.

In making its decision the Council will have regard to the design of the advert itself, and the number of other advertisements in the locality.

6.42 The Council recognises the need for local businesses to advertise and the benefits of good directional signing. However, such advertisements should not be allowed to have a detrimental impact on the quality of the District's environment. Proposals should be sited and designed to harmonise with their surroundings.

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## **MONITORING STATEMENT**

6.43 For the purposes of monitoring the implementation of policies and proposals within this chapter of the Local Plan the Council will monitor the following:

1. Changes in the state of the archaeological resource.
2. The number of archaeological assessments and field evaluations being undertaken and the number of mitigation strategies agreed.
3. The contribution being made by the Local Plan toward the objectives of the Avebury World Heritage Site Management Plan.
4. The number of listed buildings demolished.
5. The rate of progress in revising Conservation Area Statements and preparing related Supplementary Planning Guidance.

*Data will be obtained from a variety of sources, such as the County Archaeological Service, English Heritage and the Avebury World Heritage Site Steering Committee and its sub-groups. The data collected will be used to inform the next review of the Local Plan.*

## APPENDIX HH1

### CONSERVATION AREAS

TOTAL: 69

#### Settlement Name

- |                              |                                     |
|------------------------------|-------------------------------------|
| 1. Aldbourne                 | 37. Lockeridge                      |
| 2. All Cannings              | 38. Ludgershall                     |
| 3. Alton                     | 39. Manton                          |
| 4. Avebury                   | 40. Marden                          |
| 5. Axford                    | 41. Market Lavington                |
| 6. Baydon                    | 42. Marlborough                     |
| 7. Bishops Cannings          | 43. Mildenhall                      |
| 8. Bowden Hill               | 44. Milton Lilbourne                |
| 9. Bromham                   | 45. Netheravon                      |
| 10. Brunton                  | 46. Oare                            |
| 11. Burbage                  | 47. Ogbourne St. Andrew             |
| 12. Charlton                 | 48. Ogbourne St George              |
| 13. Chilton Foliat           | 49. Oxenwood                        |
| 14. Chirton                  | 50. Pewsey                          |
| 15. Chisbury                 | 51. Potterne                        |
| 16. Chute Cadley/Lower Chute | 52. Poulshot                        |
| 17. Collingbourne Ducis      | 53. Ramsbury                        |
| 18. Collingbourne Kingston   | 54. Sandy Lane*                     |
| 19. Devizes                  | 55. Seend                           |
| 20. East Chisenbury          | 56. Shalbourne                      |
| 21. Eastcourt                | 57. Tidcombe                        |
| 22. Easterton                | 58. Upavon                          |
| 23. East Grafton             | 59. Upper Chute                     |
| 24. East Kennett             | 60. Urchfont                        |
| 25. Easton Royal             | 61. Wedhampton                      |
| 26. Enford                   | 62. West Kennett                    |
| 27. Erlestoke                | 63. West Lavington and Lit. Pannell |
| 28. Etchilhampton            | 64. Wilcot                          |
| 29. Fittleton and Haxton     | 65. Wilsford                        |
| 30. Froxfield                | 66. Wilton                          |
| 31. Fyfield (nr. Pewsey)     | 67. Woodborough                     |
| 32. Great Bedwyn             | 68. Wootton Rivers                  |
| 33. Great Cheverell          | 69. Worton                          |
| 34. Ham                      |                                     |
| 35. Hilcott                  |                                     |
| 36. Little Bedwyn            |                                     |

*\* Denotes shared with North Wiltshire District Council*